

25

STATE OF THE UNION.

SPEECH OF HON. JAS. HARLAN, OF IOWA;

In the Senate, January 11, 1861.

The Senate having under consideration the resolution offered by Mr. HUNTER, on the 2d of January, for the retrocession of the forts, arsenals, magazines, and dock-yards of the United States, to the States in which they lie, when those States, by a regular convention of the people, express a desire for them—

Mr. HARLAN said :

Mr. PRESIDENT: I would most willingly do anything in my power, which an honorable man could do, to allay the commotion which surrounds us. The first pertinent inquiry presented is, what is its cause? The Senator from Alabama [Mr. CLAY] furnishes a laconic reply. In a recent letter, dated at New Orleans, and addressed to friends in South Carolina, the Senator remarks of the people of the free States of the Union :

"They are the most bitter, relentless, and vindictive enemies we have on earth." * * * * "Of course, we cannot live under the same Government with these people, unless we could control it."

We must control! We must govern the North—the North must obey! The minority must govern the majority! Is not this the key to the solution of all our difficulties? And we have had this doctrine amply illustrated in the speech of the Senator who has just taken his seat, [Mr. HUNTER.] After informing us that the Republican party had marched into power over the fragments of a broken Constitution, he himself proposes radical changes in that Constitution, which, according to his own statement, would convert this Government into a new confederation of States, securing to the minority the power to control it.

Whatever may be pretended to the contrary, the real grievance inflicted on "the South by the North," is the invitation extended to the southern Democracy, on the 6th day of last November, to resign the reins of Government into the hands of their political opponents. This will become manifest on an examination of the alleged causes of complaint. These are all stated in general and ambiguous terms, without specification. The most usual allegation, which has been reiterated to-day, is that the provisions of the Constitution have been violated. The secession argument which follows is, that when a contract has been violated by one party it may be declared void by the other party to its provisions; that the Constitution of the United States is such a contract between the several States; that the Federal Government is merely their agent, appointed to carry out its provisions; that this contract having been broken by some of the States, the other States may voluntarily secede, and demand a division of liabilities and assets.

I shall not now enter into an examination of this constitutional question; but, believing it to be totally untenable, I shall for the present suppose it to be the true theory of our Federal Union; because whether true or false is not material to the present inquiry. For when you demand that *all* the provisions of the Constitution shall be carried out—including the provision on the subject of fugitives from service—there is but one response. On this proposition there is no division of opinion between the great political parties. The party that has recently triumphed at the polls admits,

freely and unequivocally, in the clearest and broadest terms, that every part of the Constitution must be obeyed according to its true intent and meaning. There is but one alternative with a law-abiding people: the fundamental law must be obeyed, or lawfully changed; and no one, anywhere, has proposed so to change the Constitution as to erase this provision. Its terms are not ambiguous; it provides that—

“No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.”

The Republican national convention did not propose any amendment to this part of the Constitution; no Republican member of either branch of Congress has ever proposed its abrogation; no Republican governor, or State Legislature, or State convention, has ever demanded it. The assertion that the Republicans are opposed to this provision of the Constitution is a sheer fabrication, asserted in the first instance for political purposes, and now adhered to for the sake of consistency.

It being admitted that the Constitution must be sustained, the corollary follows, that all laws made in pursuance of its provisions should be obeyed. In 1793, Congress enacted a law to carry into effect this provision of the Constitution, which required the co-operation of the several States. This remained the law of the land until the latter provisions were declared void by the Supreme Court of the United States in the celebrated Prigg case. This adjudication resulted in the repeal of State laws by the Legislatures of the several States, originally designed to aid the Federal Government in securing the rendition of fugitives from service. The Supreme Court of the United States having declared them void, they were formally repealed. And Congress enacted the fugitive slave law of 1850, authorizing the Federal judicial tribunals and commissioners to issue summary process for the arrest of such fugitives, and authorizing the marshals to execute these mandates with force—to employ the power of the county, or the armies of the Republic, for this purpose; and declaring all who resist their execution guilty of a high offense against the United States, punishable by fine and imprisonment. It is true, sir, that some of the provisions of this law are offensive to the instincts and impulses of a free people. I shall delay, now, to mention but one or two of them.

It is painful to a freeman, unaccustomed to the local institutions that have been alluded to to-day, to be compelled to aid in “running down” a human being who is flying from the hand of the task-master. He could agree to stand neutral; to allow the claimant to run down his own slave; but all his honorable impulses rebel against being compelled, with his own hands, to aid actively in re-riveting shackles and chains on the limbs of a human being who had thrown them off, and is flying from the pursuer. He cannot avoid feeling, and perhaps saying, “Had I been in his condition, I would, at the risk of life and all else dear to me on earth, have done as that poor slave is doing.” And, sir, I find these impulses are not peculiar to the people of the free States. What honorable man in the South has not a duplicate copy of these impulses in his own heart? Where is the honorable man, anywhere, whose instincts and impulses take sides with the strong against the weak; with the oppressor against the oppressed? Such a man would be an anomaly in God’s creation. And when he sinks the common impulses of humanity, ignores the human origin of the fugitive, and regards him merely as a *runaway beast*, and reflects on the subject, he can see no reason for making himself a criminal for refusing to run down another man’s animal. As an act of good neighborhood or friendship, he might cheerfully aid even a stranger in recapturing his runaway horse or mule; but what right has the owner to make him a felon for declining? Where is the reciprocity? In aiding to arrest a felon there is reciprocity; his own safety requires it. But taxing time and courage to arrest another’s property is without reciprocity. Since civilization commenced, show me an example of such a law. Nor is there justification in the averment that this demand is not made on the quiet dweller in the free States to leave his daily avocation to pursue the alleged fugitive, until the pursued resists the pursuer. If he were a horse, vicious and dangerous to the pursuer, you would never dream of *coercing* your neighbor for aid on that account, or of making him a felon for declining. Nor is there a Legislature under the sun that would justify such a demand. If the recapture requires risk of life or limb, the risk is the owner’s, not his neighbor’s; let him take his property at his peril, if he can do so without a breach of the peace.

But, if the alleged fugitive may be considered as a *man*, as a “person,” to adopt the language of the Constitution, as well as property by the laws of a State, he

has the indefeasible right, in every State in the Union, to assert his manhood. He may deny the claim of the pursuer to ownership over him; he may deny that he is a slave; or, if a slave, that he is the slave of the claimant. This would raise an issue of fact; and, according to our notions of *Magna Charta* and constitutional liberty, every issue of fact joined in our courts of law may be tried by a jury of freemen. The naked claim of the pursuer ought not to be conclusive against him who denies its truth; he ought not be concluded by affidavits, by purely *ex parte* testimony; he has the right to be confronted with the witnesses who testify against him, to cross-examine them, and to introduce rebutting testimony. Nor ought the decision on the questions of fact involving the freedom of a human being to be irrevocably intrusted to a petty magistrate, appointed by a foreign jurisdiction.

Your reply to this view of the subject, that "to provide a jury trial for an alleged fugitive slave in a free State would be equivalent to an abandonment of the claim," involves an accusation that is distinctly offensive. We deny your right to frame Federal laws on the distinct assumption that the people of eighteen States of the Union cannot be trusted as jurors in your courts of law.

But waiving the needlessly offensive character of some of the provisions of this law, it has been held to be constitutional by the Federal and State courts with singular unanimity—but one adverse opinion having been rendered in a period of ten years following its passage; and that has since been overturned by the Supreme Court of the United States. And the people have generally acquiesced in its execution, and obeyed its provisions or quietly submitted to its penalties, civil and criminal. And when you examine the platforms of the Republican party, you find no demand for its repeal or its modification.

You have, therefore, laws in full force for carrying out this provision of the Constitution, conceived by your own brains, and framed with your own hand, still held by its author, the Senator from Virginia, [Mr. MASON,] to be perfect; which no organized political party proposes to repeal or modify, so as to weaken its efficiency, and which is executed with singular fidelity. On this subject the Senator from Georgia [Mr. IVERSON] remarked:

"We have a fugitive slave law of which the South does not complain. It is sufficiently guarded to accomplish all the objects for which it was designed, if there was a proper public sentiment in the northern States. No better fugitive slave law could be devised by this Congress or any other. It clothes the judiciary and executive of this Government with ample powers to execute the laws. We do not complain that any executive has ever been derelict in his duty in the discharge of this law. Mr. Fillmore was President when this law was passed, and it received his sanction; and I am ready to say, that so far as he was concerned, he carried it out. General Pierce carried it out, and the present executive. So far as they have the power, they have done their duty faithfully."

Mr. Holt, a State Senator in the Georgia Legislature, is reported to have said:

"Who, I ask Senators, has ever made the charge, in all the discussions on this question, that the Government of the United States, in its governmental capacity, has brought any oppression upon you—committed any aggression on your rights?"

"I stand ready to answer the charge should it be made. True, Massachusetts has violated the compact; true, Connecticut has violated it; true, Legislatures of other States have passed measures obnoxious to the South; and it is equally true that the Congress of the United States, in answer to the demand of the South, has passed the fugitive slave law; and it is equally true that, when application has been made to the President of the United States for the enforcement of the rights of the South, under this law, he has poured forth the Federal Treasury, and made use of the Federal bayonet. It is true, sir, that when your rights have been questioned, its Supreme Court has maintained them. It is true, sir, that, for the eighty years of the existence of this Government, it has never trampled upon your sovereignty, and never refused you redress for any wrong."

The commotion at the South does not, therefore, arise from the failure of the Federal Government to carry into effect the provision of the Constitution on the subject of rendition of fugitives from labor.

2. It is demanded that the individual States should not enact laws in violation of the Constitution of the United States.

This is admitted by all. None deny the obligation to conform the legislation of the individual States to the requirements of the fundamental law of the nation. In fact, "the members of the several State Legislatures and Governors" are required by the sixth article of the Federal Constitution, before they assume the duties of their respective offices, to bind themselves by oath or affirmation to support its provisions. The members of every State Legislature take this oath of office. They cannot, therefore, enact any law in conflict with the provisions of the Constitution, without violating this solemn obligation.

But it is alleged that the Legislatures of the free States have, in fact, enacted laws that do conflict with the constitutional rights of the people of the slave States, styled "personal liberty bills." The late Democratic national conventions, which

nominated Hon. John C. Breckinridge, and the Senator from Illinois, [Mr. DOUGLAS,] each for the Presidency, made this charge in general terms, as a plank in their platform :

"Resolved, That the enactments of State Legislatures to defeat the faithful execution of the fugitive slave law are hostile in character, subversive of the Constitution, and revolutionary in their effect."

Is it not, therefore, wonderful that it should be received as a conceded truth. And yet so grave a charge should not be received without the clearest proof. Is it incredible that it could be true. It is hardly possible that a majority of the members of the Legislatures of one-half of the States could deliberately violate their consciences in disregarding their oath of office.

Who are these people thus charged with a grave crime? They are the select representative men of a great and highly cultivated people, chosen by their neighbors to enact their local laws — laws for the protection of their own lives, liberty, property, and character. Is it probable that such men, in such numbers, for a long series of years, would deliberately and persistently commit this great crime against their own consciences?

But if it were credible that they could do so — that they could, from year to year, thus intentionally violate the plain provisions of the Constitution of the United States — it is impossible that any one anywhere could be harmed by such enactments. All such pretended laws would be totally void; for the sixth article of the Constitution of the United States provides that —

*"This Constitution, and the laws of the United States which shall be made in pursuance thereof, * * * * shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding."*

Hence, if these "personal liberty bills" violate the Constitution and laws of the United States, they are void, and would be so declared by the courts, State and Federal, whenever a case could arise under them. But as no case has arisen under them to test their validity, it is manifest that these laws are believed to be constitutional by all parties, or are of no practical importance. In either case it is incredible that the statesmen and jurists of the southern States could regard this as a real cause of complaint, much less a cause for a dissolution of the Union.

3. It is demanded that the South ought not to be required to submit to the election of a sectional candidate to the Presidency.

But, on examination of the election returns, it will be found that this demand would render ineligible every candidate for the Presidency at the recent election. The Senator from Illinois, [Mr. DOUGLAS] is obnoxious to the same objection: he received (not estimating the fusion vote) over one million votes, of which less than one hundred and seventy thousand were polled in the entire South. And of the three million three hundred thousand votes polled in the North, (not estimating the fusion vote,) Mr. Breckinridge received less than one hundred thousand; and Mr. Bell but about thirty thousand. The relative number of votes cast for Mr. Lincoln South, when compared with the aggregate vote cast for either Mr. Breckinridge or Mr. Bell, is larger than the relative number cast for either of the latter in the free States, as compared with the whole vote cast for Mr. Lincoln. And this result was attained after full and free discussion in the free States, by the champions of all parties, while Mr. Lincoln's friends were denied, by the violence of mobs, the right of discussion in a majority of the slave States, and declared their opinions at great peril in others. Hence, if Mr. Lincoln was sectional, all his opponents were as intensely sectional; if sectionalism disqualified him, they were equally ineligible. If the Republican party was sectional, so was the Douglas party, and the Bell party, and the Breckinridge party — the latter carrying their sectionalism to violence.

The marked distinction between Mr. Lincoln and his opponents, however, is, he received a very large plurality of the popular vote over each of them, and a large majority of the electoral vote over all of them combined.

4. When pressed on these points, Senators admit that it is not the escape of a few miserable slaves through the free States, nor the personal liberty bills, nor yet the election of Mr. Lincoln by the people of the free States to the Presidency, that justifies the alarm manifested in the South; but that it is the public opinion behind these acts, giving rise to them, which justifies alarm; that it is the condition of society which tolerates the denunciation of slavery, finally culminating in the election of a candidate known to be opposed to slavery, and elected because he was known to be thus hostile, which causes complaint, and justifies opposition to his inauguration as the President of the whole Republic. It is demanded that the press, the pulpit, the legislator, and the elector, in the free States, shall be restrained from discuss-

sion which results in this deep-seated opposition to your institutions. And the Senator from Illinois [Mr. DOUGLAS] has proposed a bill for a law, something like the sedition laws of the early time, to declare freedom of speech and of the press, in the free States, on this subject, a grave crime, to be furnished by fine and imprisonment in the jails and penitentiaries, a bill which the Senator from Georgia [Mr. TOOMBS] distinctly approved, a few days since, and which I understood the Senator from Virginia to approve to-day.

You demand that the people among themselves shall no longer speak disparagingly of slavery — shall cease to intermeddle, as you call it, with your institutions, and thus to engender opposition to it. We must bridle the pulpit; bridle the press; bridle our tongues around our own firesides. We must trample under foot the great cardinal idea of the reformers, so pertinently re-stated by Mr. Jefferson, that "there is no danger in error where truth is left free to combat it." "This may be a good rule," you say, "in relation to everything under the sun, sacred and profane, that pertains to time and eternity, except the 'patriarchal institution;'" on every other subject men may speak, write, and publish what they choose," being responsible therefor; but here is an institution that is either too good or too bad to be talked about — its merits may not be discussed; here is the image set up in the plain, which all men must fall down and worship, on penalty of being cast into the fiery furnace. You have deprived your people in the slave States of freedom of speech and of the press on this subject; and you now demand that the people of the free States shall adopt your laws and usages, on pain of dissolution of the Union. The sober second thought of your own people, we may well hope, will persuade them that this is no sufficient cause for the destruction of the Union.

5. The most grievous complaint is, that this agitation causes the people of the free States to hate slavery, and by the necessary association of cause with effect, to hate slaveholders. We are told that this must cease; that your honor will not permit you to live in the same Union with such confederates. The people of the free States must change their speech, their modes of thought, their mental perceptions, until they shall be brought to love that which seems to them hateful; that the elemental structure of their minds must be so wrought upon as to change their perceptions of the beautiful and agreeable. It is well known, to be sure, as we are told by the learned, that the constant contemplation of that which produces pleasurable emotions in the mind, will in time become an object of tender regard, or of love; and that which uniformly produces unpleasant or painful emotions, will become an object of aversion; that this is a law of the mind, fixed by the author of our nature; that this is no more true in the physical than in the moral world. Hence we are told that Homer's and Milton's poetry will be read with rapture to the end of time; the lesson of the Saviour and the example of his life will command the adoration of mankind as long as the ages last. When the strong stoop to lift up the oppressed, humanity applauds to the ends of the earth; and when the strong oppress the weak, they are never loved. The sight of oppression never arouses pleasurable emotions — but ever painful; it is so now; it ever has been so, and it ever will be so to the end of time, and probably in the world of spirits, through eternity. If there be any place in God's universe where this law of the mind does not exist, or where oppression can excite applause, it is not in the free States; it is not in slave States; it is not on earth; it is not in Heaven. *Men* with their feelings unperverted do not love oppression; angels do not love oppression; the Almighty Maker of all does not love oppression; in God's great domain, who is it that loves oppression? and who loves the oppressor? These emotions are not voluntary; you cannot compel men to love if you would; and you have no right to coerce them if you could.

But, in point of fact, the complaint is not true as charged, and its proof is founded in erroneous casuistry.

An overwhelming majority of the people of the free States believe that the mass of the slaves, as now situated, are incapable of the enjoyment of freedom with safety to themselves or to the white people. They regard the slavery of the great mass of the negroes of the South as an existing necessity, which no human goodness or wisdom can at present change. They understand the danger of tampering with slaves, and the frightful consequences that might arise from an unguarded expression in their presence calculated to excite unkind feelings towards their masters—since they are in your houses, and nurseries, as well as on your farms and plantations—and could so easily, with a grain of virulent poison dropped in food or a well, destroy whole families and communities; and our people would be no more likely to excite

a temper productive of such a result than the people of your own States. You have slavery in your midst; and how you can dispose of it God only knows. But while you retain these people, you must provide for them as best you can; humanity and Christianity demand this at your hands. And when you do this in good faith, without violating the common laws of humanity and the principles of Christianity, you are not hated by any one anywhere. It is only when you hold them for the sordid purposes of gain, ignoring their common claims to the sympathy of the human family, that it becomes odious and hateful; it is when you offensively thrust it upon us as a great good to be desired and extended and perpetuated by all the powers of the National Government, that excites loathing among the people of the North. Now, if it shall appear that you have wantonly excited this opposition to slavery, it will follow that you have no just cause to dissolve the Union on that account. This brings me to the consideration of your next demand.

6. You demand that the free States shall so modify their laws as to permit you to hold slaves within their jurisdictions, for purposes of transit and temporary sojourn; that is, to tolerate and protect slavery because your convenience and interest require it. You demand that the free States shall confer on your citizens privileges that are not conferred on their own. I inquire here, again, what reciprocity there is in such a claim? I ask on what principle of international law, or international intercourse, you can put forth such a demand—that one sovereignty shall confer on the citizens of another sovereignty rights which it denies to its own people? We were told the other day, by the Senator from Virginia, [Mr. MASON,] that gentlemen of the South feel humiliated at being restrained by confederates in the Union from passing through their Territories with slaves, and commanding their services during a temporary stay—attempting the first, their property is confiscated, as in the Lemmon case; attempting the latter, they become felons; that such laws manifest a malignant hatred of the South, which requires a total separation, or the repeal of these laws, and other satisfactory guarantees to be promptly tendered by the free States.

This is, to say the least, not a very modest demand. Taken in its length and breadth and depth, it is this: that eighteen free States shall each promptly agree that the slaveholding laws of the slave States shall be extended into their jurisdictions respectively. They must agree that the slave States shall not only enact laws for the government of their own people at home, but that they shall enjoy the right to dictate laws to the people of the free States also; that is, that Missouri shall be permitted to dictate laws for Iowa; Tennessee for Illinois; Virginia for Pennsylvania; South Carolina, Georgia, and Louisiana for New England. It is by such reasoning as this that secession justifies itself on this floor.

7. The next demand to which I shall allude is, that the equality of the States should be recognized by the Federal Government. Now, sir, that each State in the Union is exactly equal, and shall remain exactly equal, to every other State in the enjoyment of her right to make her own laws, and regulate her own domestic institutions within her own limits, everybody admits; but I inquire in what other sense is this claim to equality true? It is said that we are a confederation of equal States; and that this equality must be maintained. Where are the States equal under this confederation? Do they have an equal voice in the election of a President? Certainly not. New York casting thirty-five votes, and Iowa but four, and Florida three. Are they equal into the other branch of Congress? Not at all. You may say that they are equal on this floor; but in what sense are they equal? Do you vote by States here? Not at all; each Senator has one distinct vote, and the two Senators from each State are often divided; so that a bill may pass this body with the approval of but one of the States of the Union, if the Senators from the other thirty-two States should chance to be equally divided. Nor are States represented in the Federal courts.

Then what becomes of this claim of the equality of the States under the Constitution? They are equal at home; that is, they are equal in the enjoyment of a common right to regulate their own domestic affairs, subject to the Constitution and laws of the United States, and in no other sense; and it seems to-day that Senators on the other side of the Chamber perceive the truth of the allegation, as is manifested in the enlarged demands made for changes in the Constitution to increase the power of minorities.

But you say that you are denied, by the theory of the policy of the Republican party, equality in the Territories. But the States, as States, can never appear in the

Territories. They have no means of setting up a jurisdiction in the Territories. They cannot transfer their sovereignty outside of their own limits. But you may say that each State should have an equal right to transmit its citizens to the Territories. Why, sir, nothing can be more fallacious. A citizen of a State, when he becomes a citizen of a Territory, loses his citizenship in the State from which he has migrated. A resident in Nebraska, or Kansas, or New Mexico, or Washington Territory, having emigrated from any one of the States of this Confederacy, loses his citizenship by virtue of that transit; and so completely is it lost that he no longer has the power to maintain a suit in the Federal courts against a citizen of a State. By that residence and citizenship in the Territory he is barred the right to assert his citizenship in the State which he has left. Nor can the States appear in the Territories by their laws. The laws of the several States have no force outside of their State limits.

If then, Mr. President, the State cannot appear in the Territories *per se*, nor by their citizens, nor by their laws, I inquire in what sense this demand for equality is made. When stripped of sophistry, it means that Congress shall enact laws for the Territories authorizing one class of their residents to hold another class in servitude; or, at least, that no law shall be enacted restraining men from holding others as slaves. Unless this be done, you complain that your people in the slave States are deprived of a right of emigration to the common domain. It would be virtually you say, giving up all the public domain to the people of the North. Now, on examination, it will appear that this is equally untrue with the other assumption. Of the ten million people that were residing in the slave States in 1850, I inquire what one would be inhibited from emigration by the policy of the Republican party if carried out by the Federal Government? Not one. Of the four million Africans, not one would be inhibited. Of the five and a half millions non-slaveholders, none would be inhibited; nor of the half million slaveholders themselves.

But we were told to-day that this policy of inhibiting by indirect means the emigration of negroes to the new Territories, while the white population would spontaneously emigrate, would greatly diminish the relative number of white people in the slave States, and increase the relative number of the servile population, until that population would so far predominate as to enable them to degrade the white people to the condition of the negro, and would remit the negro to his original condition of barbarism. Now, sir, in connection with this allegation, allow me to advert to the fact which was proclaimed on this Senate floor but ten years since, by the great men that then adorned this body—Mr. Clay, of Kentucky, and Mr. Webster, of Massachusetts—that slavery was even then barred from all the territories acquired from Mexico, by an irrepealable enactment of the Almighty in the formation of the soil and fixing the climate of those regions; and you admit its truth. You admit that it would be but a barren right; that the migration of slaves in any considerable number to the territory has already been barred by a higher law than man is capable of enacting. Then, if the grieved consequences to which the honorable Senator from Virginia referred would flow from the policy of the Republican party, they are inevitable, and no change of the Constitution of the United States can avert this result. The sober, second thought, however, of the people residing in the slave States will convince them of the incorrectness of the deduction of the Senator. You have now, according to the recent census, we were told to-day, twelve million people, and a territory capable of sustaining two hundred million at least. Hence there would appear to be practically but little danger from the increase of the number of slaves, for many years to come.

You say, however, when this fallacy is exposed, that you do not oppose the policy of the Republican party in consequence of any practical disadvantages, but because it is a badge of dishonor to prohibit the migration of slaves to the free Territories. My only reply to this—and I trust it will be regarded as a sufficient answer—is: it was not thus regarded by the fathers of the Republic. They inaugurated this policy, and never dreamed that they were humiliating themselves in the face of the world. Then, if it did not disgrace a Washington, nor a Jefferson, nor a Madison, nor their descendants down to the year 1854, I deny that it is a badge of dishonor now. If this policy did not dishonor the fathers, it will not disgrace the sons.

I leave this branch of the subject with one inquiry; how will this complaint read on the page of future history? The lowest of your people in the slave States when they migrate to the Territories are to be protected by the laws in the enjoyment of their natural rights; and it is of that protection that you complain. Why, sir, if any one

of the meanest people that live within the limits of any State should receive injustice within the jurisdiction of a foreign Power, it would be just cause of complaint; but how would this nation appear in the face of the world in complaining that foreign jurisdictions *protect* our citizens. When robbed of its sophistry, this is the substance of the complaint. And you declare your purpose to encounter civil war on this account. On this subject, Mr. Clay once said—and I commend it to the serious consideration of secession Senators on the other side of the Chamber:

"But if, unhappily, we should be involved in war, in civil war, between the two parts of this Confederacy, in which the effort upon the one side should be to restrain the introduction of slavery into the new Territories, and upon the other side to force its introduction there, what a spectacle should we present to the astonishment of mankind, in an effort, not to propagate right, but—I must say it, though I trust it will be understood to be said with no design to excite feeling—a war to propagate wrongs in the territories thus acquired from Mexico. It would be a war in which we should have no sympathies, no good wishes; in which all mankind would be against us; for from the commencement of the Revolution down to the present time, we have constantly reproached our British ancestors for the introduction of slavery into this country."—[Cong. Globe, part 1, vol. 22, page 117.]

I inquire, Mr. President, in the next place, how will secession, and probably a dreadful civil war, cure any of the alleged evils to which I have alluded, and the long catalogue added to-day by the Senator from Virginia? In what way will a dissolution of the Union enable you to recapture your runaway slaves? It would destroy your redress under the Constitution; and by the law of nations you have no redress. Would it repeal the personal liberty bills of which complaint is sometimes made? Would civil war and secession prevent in the future the election of a sectional candidate by the people of the free States? Would it prevent agitation of the subject of slavery within the limits of the free States? Would it prevent anybody from hating slavery? Would it give you the control of the local Legislatures of the free States, and secure the passage of laws to allow you to hold slaves for temporary purposes within their jurisdictions? Would it give you the power to establish slavery in the Territories? Every one, as seems to me, must answer each and all of these inquiries in the negative.

These complaints, therefore, coming from that part of the Chamber, sound to me like mere pretexts. They are not the reasons of the bluster and threats and menace which resound through this Chamber. There is a reason, however, which justifies itself by every historical parallel. You have governed this country for the last sixty years. You have controlled its legislation; you have controlled its judiciary; you have controlled its internal policy; you have controlled its foreign relations; you have grown haughty, proud, and—I say it without intending offense—insolent. Being accustomed to command, you have forgotten how to obey. Although you have been fairly beaten at the polls, you refuse to yield the Government into the hands of your constitutional successors. You demand that the victors shall adopt your party dogmas and your party platforms as their policy, or you will rob them of all the fruits of victory. You propose to adopt the Mexican policy—when vanquished at the polls to appeal to arms; to abandon the peaceful policy adopted by your fathers, of settling questions by majorities, according to law. You prefer the hazard, to say the least, of settling them upon the battle-field.

If any one could doubt on this subject, an examination of the terms of redress proposed by the vanquished party, will dissipate that delusion. Every proposition includes as its cardinal measure an abandonment of their principles by the Republicans, and, I may add, the Douglas party, and the adoption of the principles incorporated in the platform of the Breckinridge party, and in the Senate resolutions which passed this body at the last session of Congress.

The radical difference between the Republican party and the Douglas wing of the Democratic party—or the northern Democracy, as it is sometimes styled—on the one hand, and the southern Democracy on the other, pertains to the right to exclude slavery from the Territories. The Republicans maintained that slavery could be rightfully and constitutionally excluded either by Congress or by the Territorial Legislatures. The northern Democracy, who chiefly voted for Mr. Douglas, maintained that slavery could be rightfully and constitutionally excluded by the Territorial Legislatures only. The Republicans and northern Democracy differed from each other in regard to the means to be employed to effect this end; but they agreed on the great principle of *the RIGHT under the Constitution of the United States, to exclude it.* The southern Democracy, which chiefly cast its vote for Hon. J. C. Breckinridge and the Senator from Oregon, [Mr. LANE,] adopted the opposing doctrine. I cannot state their position more clearly than by repeating the language of these eminent gentlemen in their letters accepting the nominations.

Mr. BRECKINRIDGE said :

"The citizens of the States may enter the Territories of the Union with their property, of whatever kind, and enjoy it during the territorial condition without let or hindrance, either by Congress or by the subordinate territorial governments."

Mr. LANE said :

"Non-intervention on the subject of slavery, I may emphatically say, is the cardinal maxim of the Democracy—non-intervention by Congress and non-intervention by Territorial Legislatures, as is fully stated by the first resolution of the platform as adopted. If the Constitution establishes the right of every citizen to enter the common Territories with whatever property he legally possesses, it necessarily devolves on the Federal Government the duty to protect this right of the citizen whenever or wherever assailed or infringed."

On this subject the issue was fairly joined. There was no equivocation. The Senator from Mississippi, not now in his seat, [Mr. BROWN,] stated on this floor, that on that side they neither desired to cheat or be cheated. The people have decided against you by a majority unparalleled in the history of this Government. The vote cast for Mr. Douglas was over one million. His friends claim for him four-fifths of the votes cast for the fusion ticket in New York, Pennsylvania, New Jersey, and Texas, which would increase the number of ballots cast for him to one and a half million. The votes cast for Mr. Lincoln amounted to one million eight hundred and seventy thousand; and if you add the vote cast for Mr. Breckinridge and Mr. Bell, and their fair proportion of the fusion vote, as stated by the northern Democracy, their vote will not amount to more than one and a half million: one and a half million on the one side, and three million three hundred and seventy thousand on the other, of this great issue of principle—the right to exclude slavery from the Territories belonging to the Republic. Being thus overwhelmed, you have not the grace to yield to the will of the majority like good citizens, and four years hence go to the polls for the redress of any of the errors that, in your opinion, the people may have committed; but you rebel against the Government you have sworn to support. You go home, and by letters and speeches to your constituencies, misrepresenting the principles of the Republican party, stir up insurrection and incipient civil war; and in the midst of the strife which your own hands have stirred up, you, the vanquished, a small minority, come to the victors, and propose, as terms of peace and compromise, that they shall surrender to you at discretion; that they shall trample under foot the principles which the people have approved, and adopt your platform, and your party dogmas, which the people have as distinctly condemned! Here is the proposition submitted by the Senator from Mississippi, [Mr. DAVIS,] and I invite the attention of every Senator to the character of these terms of peace :

"Resolved, That it shall be declared, by amendment of the Constitution, that property in slaves, recognized as such by the local law of any of the States of the Union, shall stand on the same footing in all constitutional and Federal relations as any other species of property so recognized; and, like other property, shall not be subject to be divested or impaired by the local law of any other State, either in escape thereto or of transit or sojourn of the owner therein; and in no case whatever shall such property be subject to be divested or impaired by any legislative act of the United States, or of any of the Territories thereof."

The very proposition on which you went to the country and were vanquished. Here is the proposition of the Senator from Georgia, [Mr. TOOMBS:]

"Resolved, That declaratory clauses to the Constitution of the United States, amply securing the following propositions, be recommended for adoption :

"1. That the people of the United States shall have an equal right to emigrate to and settle in the present or any future acquired Territories, with whatever property they may possess, (including slaves,) and be securely protected in its peaceable enjoyment, until such Territory may be admitted as a State in the Union, with or without slavery, as she may determine, on an equality with all existing States."

That is but a different collection of words demanding the Breckinridge platform as the condition of peace. Here is the proposition of the Senator from Tennessee, [Mr. JOHNSON:]

"Resolved, That the select committee of thirteen be instructed to inquire into the expediency of establishing, by constitutional provision—

"First. A line running through the territory of the United States, not included within the States, making an equitable and just division of said territory, south of which line slavery shall be recognized and protected as property by ample and full constitutional guarantees, and north of which line it shall be prohibited."

The proposition submitted by the Senator from Kentucky, now before me, [Mr. CRITTENDEN,] is on this subject a little more modest. It, like the last, however, proposes a congressional slave code for all the Territories south of 36 deg. 30 min. north latitude, and, like all the others, proposes to humiliate the people of the free States by requiring them to surrender their own principles and adopt yours; and this proposition is proposed as a condition precedent, as it would seem, to the peaceable inauguration of the President elect. I ask the Senator from Kentucky if he expects the majority thus to humble themselves at the feet of the minority?

Mr. CRITTENDEN. I hope I shall be allowed a word. I am surprised to hear the gentleman say that I propose a slave code. I thought I had carefully avoided

that. I took things as they were, and say that the laws as they now exist shall continue to exist, and what protection they give shall be extended; that neither Congress nor the territorial government shall legislate on the subject. This is the congressional code that I propose. The code that exists is not a congressional one at all; it is a territorial one; and as we have come to the point where I suppose some settlement should take place. I propose that we shall take the *status* as it exists. It relieves us from all legislation. I propose merely to give what protection the present laws give—nothing more.

Mr. HARLAN. I do not desire to misrepresent his proposition.

Mr. CRITTENDEN. I am sure the gentleman does not.

Mr. HARLAN. Here is the language, however, of the printed bill which I have on my desk:

"In all the Territories south of said line of latitude, slavery of the African race is hereby recognized as existing"—

Mr. CRITTENDEN. That is all.

Mr. HARLAN. It is recognized as existing.

"and shall not be interfered with by Congress, but shall be protected as property by all the departments of the territorial government during its continuance."

Mr. CRITTENDEN. According to their own laws.

Mr. HARLAN. I shall be happy, Mr. President, to find that the proposition submitted is less objectionable than I at first supposed it to be.

Mr. CRITTENDEN. It has been one of my objects to exclude the idea of legislating by Congress. The resolution is silent on the subject.

Mr. HARLAN. Printed propositions have been laid on our desks, coming from the other side of the Chamber, proposing to amend the resolutions of the Senator from Kentucky, (I do not now see them, hence I cannot recite their provisions;) but their effect would be to conform the Senator's proposition to the requirements of the Breckinridge platform. And the proposition, as it stands—as it seems to me—recognizes slavery as existing in the Territories south of 36 deg. 30 min., and provides that it shall continue during the existence of the territorial government. The Senate has heard the proposition which came from the Senator from Virginia to-day, which is an enlarged demand over that of any other Senator who has spoken on this subject.

I ask then, Mr. President, if it can be expected that a triumphant party—I may say a union of parties, so far as that principle of the right to exclude slavery from the Territories is concerned, unprecedented in the history of this country—will humble themselves at the feet of a minority that is so very small? Will any honorable man consent to humiliate himself?

Mr. PUGH. I should like to interrupt the Senator a moment, with his permission.

Mr. HARLAN. Certainly.

Mr. PUGH. I heard him indistinctly before; but, as he has repeated it, I wish to ask him a question. I understand him to say that the supporters of Mr. DOUGLAS in the last campaign maintained the power of Congress to exclude slavery from the Territories.

Mr. HARLAN. No, sir.

Mr. PUGH. Certainly not one of them, to my knowledge, ever admitted it.

Mr. HARLAN. My statement was, that the friends of Mr. DOUGLAS in the recent election, maintained the right to exclude slavery from the Territories.

Mr. PUGH. Or to admit it, as the people choose.

Mr. HARLAN. And, as a means for its exclusion, would use the Territorial Legislature. The main point at issue was: can slavery be rightfully excluded? The Republicans said it could. The Douglas Democrats in my part of the country also maintained that it could; and that the means they would select were preferable, considered in the light of efficiency, to the means proposed by the Republicans. "Why," said they, "look at your northern hordes, millions of men, free to emigrate; throw open the Territories, and allow the people who enter them to exercise their own choice on this subject; and can you doubt, educated as the great majority of the settlers will have been, that they will remove slavery from every Territory organized under the jurisdiction of the United States?"

Mr. PUGH. I hope the Senator will allow me to interpose.

Mr. HARLAN. Certainly.

Mr. PUGH. I think I can speak for the Democracy of Iowa better than he can.

In the first place, I was very well acquainted before, and at the time, with the delegates in the Charleston and Baltimore conventions. All that we have ever claimed was, that the people of the Territories should have the right to exclude it or to admit it, at will: and as for any assertion that the Democracy of the North meant to exclude slavery as a proposition, and availed themselves of the doctrine of popular sovereignty for that purpose, it is an invention of the enemy.

Mr. HARLAN. I do not say that either the Senator, or any of his party friends, desired to exclude slavery from the Territories. I am inclined to think some of them do not entertain such a desire, especially those of them who, though residing in the free States, are the owners of slaves. The point of principle, however, cannot be evaded. *The right to exclude slavery from the Territories* was maintained by the Douglas Democracy all over the Union. It was so announced by that eminent gentleman in the city of New Orleans, in Baltimore, at Norfolk, and everywhere over the Union; and I doubt not he is indebted to that frankness for the smallness of the vote polled for him in the slaveholding States. The principle then maintained by them was, that slavery might be rightfully and constitutionally excluded from the Territories. So it was by the Republican party. The Republican party say it may be done by Congress or a Territorial Legislature. The Douglas Democrats say it may be done by a Territorial Legislature only.

Now, sir, that vote, I repeat, amounted to more than three and a third million; and the united vote for both the opposing parties, and their proportion of the fusion votes, did not amount to one and a half million. The proposition here, then, is, that we shall surrender; and the question that I was propounding to the Senator from Kentucky was, whether it was probable, judged in the light of history, that such a mass of freemen would, under the threats that are here presented, surrender to a minority so very small? Why not harmonize on a proposition that requires no humiliation, no surrender from either the victors or the vanquished? Why not harmonize on the proposition defended by my colleague and other eminent Republicans in the committee of thirteen, to admit the territory south of 36 deg. 30 min. as a State, and the territory north as a State or States, with a reserved right to divide them, as in the case of Texas, whenever the population may be sufficient to justify it, and the interest of the population may require it? The population is sufficient; and they are pecuniarily able to defray the expenses of their own governments. This would require no surrender of principles by you or by us; and would diminish the expenses of this Government hundreds of thousands of dollars annually. It would forever remove the discussion of slavery from the Halls of Congress and the arena of political strife. Or do you desire to take revenge on the Republicans first, that you may enjoy its sweets before a settlement can be agreed on?

I ask again, can you expect that the masses of freemen from eighteen States of this Confederacy, having legally elected their candidate for the Presidency on a distinct announcement of principles, upon which issue was joined, will submit to humiliating terms as conditions precedent to the transfer of the reins of government to their hands? They would be unworthy of the rights of freemen if they would consent to such a disgrace. I announce to you here distinctly that, in my solemn conviction, you cannot extort a surrender of one hair's breadth of principle from the Republican party in advance of the inauguration of Mr. Lincoln. They have demanded at your hands nothing that is wrong, and they will submit to no wrong and no humiliation.

Now, it is for you to say whether you prefer a peaceable adjustment that does not involve a surrender of principle on your part nor on ours, or whether you prefer the arbitrament of arms. Nobody on this side of the Chamber has threatened, as was erroneously charged to-day, such a conflict. Several Senators have expressed their great and abiding fear that that would be the result of the secession movements at the South at this crisis in our public affairs. They have fears, I say, that you will plunge this country into civil war, and drench its plains with fraternal blood, through the madness of your chagrin over a political defeat at the polls.

Southern Senators have spoken of the military resources which their section can command for the conflict, and their power of protracted resistance and aggression; they have intimated that such a war would be long and bloody, and mutually disastrous. It would be fearful and terrible, I doubt not; but it would be very brief. I say it would be very brief; and I challenge your attention to history for the truth of the assertion. The time has been, Mr. President, when war merely involved a conflict between animal forces. That time has past. Your struggle for independ-

ence involved you in a war of seven or eight years. This world has changed since then. Mind controls.

Senators have said here that cotton is king. No, sir; in this kind of contest science is king; and warlike elements, are his vassals. Why, sir, your war with Mexico lasted but a year. You subjugated her ten million people in a single year. The contest between the Russians, a powerful empire, on the one hand, and the English and French on the other at the Crimea, lasted but two summers. A conflict between the French and Austrians more recently, where half a million of combatants were marshaled on the plains against each other, was determined in three months. Since then, we were told that the States of Italy were about to be plunged into a sea of blood; and the next steamer brought the news that peace had been restored, and a new empire founded. The English and French assail the Celestial Empire, with a population of three hundred million and untold wealth; and in a few weeks they dictate a peace in the palace of the vanquished emperor.

It has been said that there is eloquence in facts; and perhaps it would be well for statesmen to look to their logic in an argument on a question so grave as this. A contest, I repeat; between these States—highly cultivated, highly enlightened, with immense power on either hand—would be a terrible and fearful conflict. It would be soon over, and at a less expense of money than the merchants of the great cities have suffered during the last month by your sectional agitation.

Nor will your threatened or actual secession, as a stroke of diplomacy, terminate any more favorably. That seems to be the policy of the Senator from Virginia, as suggested to-day—break up this Government, dissolve it into its original elements, and reconstruct it on such a plan as will enable the minority to govern. Will the people who have voted for the honorable Senator from Illinois, and the candidate of the Republican party, accede to terms like these? Do you hope for it? As it seems to me, no proposition could be more absurd. Should you secede temporarily for the purpose of reconstructing the Federal Government on amendments, as suggested from any Senator on that side of the Chamber, embracing as a part of its provisions the Breckinridge platform, or the Senate resolutions of the last session, (being almost a literal transcript of the Calhoun resolutions of 1838,) this new Confederacy will never embrace one of the free States—not one. Perhaps you do not desire New England. I infer, from intimations that I have heard outside of this Chamber, that you would be willing to have her sloughed off, and form a new Confederacy with the middle and northwestern States, in which you would have fifteen slave States, and we would have twelve free States; thus giving you the power to dominate over us; or, as the Senator from Alabama would say, to enable you to rule us. Do you suppose that the people of those twelve States are so obtuse as to engage in any alliance for the avowed purpose of giving you the power to control them, and coerce them into the adoption of the policy which they have so recently condemned? It was to get rid of your domination, which has prevailed so long that it has become offensive, the people consented to the breaking up of party organizations.

You could hardly expect, however, independent of this view of the subject, Pennsylvania to unite in such a Confederacy. Her policy and yours are diametrically at war; she is in favor of the protection of the industry of her own people, and you in favor of free trade. Pennsylvania seems to have apprehended your policy, from the largeness of the majority which she cast against your candidate, it being a plurality of ninety thousand over any one else, and of sixty thousand over all others combined.

Can you expect affiliation with the people of the Northwest to flow from such a stroke of policy as this? Would it advance their policy of securing homesteads to actual settlers? By a solid vote from your side of the Chamber, you have defeated this policy for the last ten years. Then, the people of the Northwest desire a connection with the ocean. They desire access to the Pacific as well as to the Atlantic; and your votes have become a more insurmountable barrier than the intervening mountains. Who can expect that the Northwest would willingly dissolve its connection with New England? As offensive as her people may be to you, they are not so to us. They have already, by their capital and their science, overcome the only barriers between us and the great Atlantic. We are now within three days' journey of Boston, and of the Atlantic at any point; and we believe that, in pursuance of this same policy, her capital, which we have not, will enable us to connect ourselves with the Pacific States. Her great fleets of merchant ships, starting at the western terminus of our Pacific railroad, can connect us with that human

hive that swarms on the other side of the Pacific, and thus reverse the world's travel, and send it, with a large proportion of the world's trade, by our doors, as it careers onward to the Atlantic cities and to the Old World. You may fancy that you can sit enthroned at the mouth of the Mississippi river and coerce a confederation with the Northwest, regardless of her great interests. Well, sir, there are in the Northwest, on the upper waters of the Mississippi, about nine million freemen. It requires little but physical force to give us access to the Gulf; and I doubt not that our people will readily find the means to secure that exit; and I might predict that if you had seceded, it probably would not be many years until the increase of our population and the multiplication of our resources, which have been unparalleled in the world's history, would enable us to command the terms which shall again place the mouth of the Mississippi under the same jurisdiction which you now propose to leave.

But again, sir, who are the people of the Northwest? Chiefly the children of New England and the great Middle States. Look over your census reports of each decade, and you will find they form a very powerful part of our population. If anybody had any doubt on this subject, I would ask them to look around me here. Where are the native States of these Senators on my right and left? Nearly all of them were born in New England or New York; and that is but an index of the character of the population of the States of the Northwest. Why, sir, you have but two Senators on this floor who were born there. Do you suppose that you would be able, by a stroke of diplomacy, to sever the ties of connection between the father and the son, between the old homestead in New England and New York, New Jersey and Pennsylvania, and the new possessions in the States in the great Northwest. If any man calculates on this, he reckons without his host.

This reminds me, however, of nothing view of your objection to the policy of the Republican party: that it would not allow your citizens to migrate to the Territories with their negroes. Why, sir, is it possible that a statesman will stand here, in the Senate of the United States, in the middle of the nineteenth century, and urge it, as a good to be desired, that the Federal Government shall adopt a policy that will entice away their citizens? Does the welfare of the slave States require the expatriation of their people? I remember the first winter I had a seat on this floor, a Senator from Pennsylvania (Mr. Broadhead) announced that he opposed the homestead bill, and introduced the counter proposition of the land-warrant system, because the homestead bill would tend to draw off the industrious people from Pennsylvania to the new States. That idea has occasionally been mentioned since. It would not be the true policy of New England, perhaps, if she were to take a narrow and selfish view of the subject, to support the measures which we desire; but her affection overcomes her interest. She has perceived, too, I doubt not, that what she loses from the strength and power of her States, she gains in the augmented power of the nation, of which she is a part; that what passes from one hand, she can readily gain with the other. We have not met that spirit from the other side of the Chamber. The improvement of our rivers and our harbors, that would give us access to the Gulf, you of the South oppose. The construction of the national railways, that would give us access to the ocean, you oppose. The passage of a homestead bill, which would enable the poor men who migrate to our States, by honest industry, to procure for themselves homes, you oppose. By an intimation of a purpose to exercise a controlling influence of the mouth of the Mississippi river, do you suppose you will be able to arrest us in the pursuit of our true interest.

But the Senator from Virginia propounded one significant inquiry, which I beg leave to allude to here.

He asks: what do you want with the forts at Charleston? What do we want with the forts located in the slave States? I respond, Mr. President, that the nine million people who reside in the Northwest can make their defense against foreign invasion with less loss of life and property at Charleston, New York, and New Orleans, than they can on their own Territories. We choose to remain a part of this great Confederation, with all the disadvantages we encounter in the heart of the continent, cut off from ready intercourse with the outside world, because there is a corresponding advantage. The desolation of the first assaults made by a foreign Power on this country must be borne by you. We, then, have a distinct interest in the fortresses in Charleston harbor, at New Orleans, Norfolk, Boston, and San Francisco. We prefer to repel the invader at the border of the continent rather than from our own doors.

And now, Mr. President, as it has become fashionable in this Chamber for Senators to conclude their speeches with an appeal to their political opponents to come forward magnanimously and save the country, on the principle, I suppose, that it is easier to call on Hercules to lift the load, than to put their own shoulders to the wheel, I make an appeal to the Democracy for a manifestation of patriotism. You appeal to us as a rising party, with the glittering hopes of the future, to come forward and surrender our principles and save the country. I appeal to you a declining power, with a mention of the lessons of the past. What are these lessons of the past? I shall not go far back. Eight years ago, when the people placed you in power, we were at peace with all the world. Our armies had just returned victorious from foreign battle-fields; our navy was triumphant on every sea; our commerce was whitening every ocean, lake, and river; our tonnage equaled that of the greatest maritime Powers; our people at home were prosperous in every industrial pursuit; our genius had placed us, in the development of the applied sciences, among the nations of the highest cultivation; domestic strifes had been buried by the patriots of the times, in the adoption of the finalities of 1850, and our stars and stripes commanded the respect of all the civilized nations; the hand of industry was receiving its highest reward, while the Treasury was overflowing with its millions of revenue. You, as a party, had the opportunity, not only to inaugurate, but to carry out your policy to completeness. You controlled the President and the head of every Department; you had a majority in this body overwhelming, and a large majority in the other branch of Congress, and a majority of political friends on the Supreme bench.

Now, what have you achieved? You have emptied the Treasury of the United States and destroyed the credit of the Government, until your bonds have to go begging in the money market of the world. You have disintegrated and destroyed the old Whig party, in which so many of the great men of the nation were cradled, and in whose ranks they served their country so well. Coming here five years and more since, from a frontier State, I expected to vote and affiliate with the two Senators then here from Tennessee, [Messrs. Bell and Jones;] the two from Maryland, [Messrs. PEARCE and Pratt;] the Senator then here from Missouri, now no more, [Mr. Geyer;] the Senator still here from Kentucky, [Mr. CRITTENDEN;] the Senator from Louisiana, [Mr. BENJAMIN;] the illustrious Senator then here from Delaware, [Mr. Clayton,] now gone to his long and last reward. Need I add others? Where are they to-day? The living are standing on the sectional platform of the Democratic party, or are superseded by their political opponents; all gone—all swept away as by a pestilence from this Chamber, except the venerable Senator from Kentucky, who stands here solitary for a time like a primeval oak of the forest, after all his peers have been prostrated by the fury of the storm; and while the heart of the nation would call out, "woodman, spare that tree," he too bends and yields to its' power. A sectional Democrat in a few weeks is to take his place. Yes! you have destroyed the old Whig party. Swept away has been that great and noble party by the policy which you have inaugurated, so offensive to the millions of freemen from the eighteen States of this Republic.

What else have you done? You have divided your own party by Mason and Dixon's line from the Atlantic to the Pacific ocean. You have resuscitated a buried sectional controversy, and arrayed the people in fraternal strife, and now, as a last achievement—I would that truth would spare me the announcement—you propose to seize on the columns that support the temple of liberty, at whose altars you have been administering, and drag it down as you leave its portals. You must rule, or you must ruin. You say to us that you distinctly announced your purpose long ago; you admonished the people of the free States, if they did not acquiesce in your policy, and indorse your political dogmas, you would commit this act, which I refrain from naming here. Yes, you would destroy the Government that you had sworn to support, and we disregarded your threats. As men of observation, could you have anticipated any other result? Have you so long contemplated us a degraded people that you have come to think us all slaves? If not, then I ask you to refrain from the longer use of the argument of the outlaw on the highway. Dissolve your moral support of the flag of treason—the palmetto and the snake—and return to your allegiance to the flag under which you have lived so long, and prospered so well. I hope that civil war, and carnage, and bloodshed, and disaster, so eloquently portrayed by the Senator from Virginia, may never come; but that Senator, and his colleagues on that side of the Chamber, may drag it on themselves by violating the fundamental policy on which all our laws rest—the right of a majority to rule.

Nor do I believe as an individual, (and I speak only for myself,) that the people of the free States of the North, and the awakening patriotism of the people of the South, will suffer you to consummate that fearful act. Senators sometimes talk as if they supposed that the destinies of this country were in the hands of politicians and diplomatists alone; and they have occasionally denounced citizens who take an interest in politics, whose avocations were different from their own. Yes, sir, religious people are sometimes denounced for dabbling in politics—for taking an interest in the perpetuity of this great Government.

Let me say here, Mr. President, that the hopes of the Christian world rest on the preservation of this Union. In the very quarter from which you expect peace, you will meet with the most fearful opposition. What does this Government secure to all our people? The right to worship God according to the dictates of their own consciences—a right that they have not elsewhere, in any large district of country, on the face of the globe. In some countries dissenters are tolerated; but here there are no dissenters—or all may be dissenters, for all enjoy absolute religious freedom. I believe that no member of that nation, or people, so wonderful in the world's history, from which the Senator from Louisiana [Mr. BENJAMIN] descends, could enjoy the rights that he enjoys here in any other civilized country on earth. He, too, rises here to give his counsel in favor of the destruction of the Government—the only one that allows freedom of conscience to his own people. Divide this country between the slave States and the free States, and the great fear which at once overwhelms the religious world is that it will then break into many fragments; that petty despots will be set up; that freedom of conscience as well as freedom of speech and freedom of the press, will be trampled under foot, as the latter are now trampled under foot in the slave States. And with the fear of the loss of the right to worship the Almighty under their own vine and fig tree, where none dare molest or make afraid, are you prepared to estimate the sacrifices they will not make to defeat your plans? You ought to know—what I know—that no earthly consideration could turn them from their purpose. Senators would do well to pause and read again the history of the persecutions and of the Inquisition, if they would properly understand what men will endure for conscience sake. You love your Government, because it guarantees civil freedom; the religious world, because it is a Government under whose shadow the persecuted from every land may secure a safe retreat. By your mad schemes you put this mighty interest in jeopardy, and touch a chord that will vibrate in the heart of every intelligent Christian throughout the nation and the world. The man who promotes the adoption of the policy which you are proposing, assumes a fearful responsibility. The Senator from Virginia described some of the consequences eloquently, and painted possible disaster with a master hand.—I therefore entreat him to stay his steps before the awful plunge is made.

What, then, does the Republican party propose? What do they demand? They demand that you shall obey the Constitution of the United States, just as your fathers made it, without the crossing of a *t*, or the dotting of an *i*. They demand that you shall acquiesce in the compromises of 1850, which you extorted from that part of the Republic in which they live. As was well said by the honorable Senator from Illinois, [Mr. TRUMBULL,] on yesterday, the people of the North, I believe, as one man, will say: "Restore the laws as they existed in 1854, letter for letter, and word for word, and then abide by the compromise of 1850.

You may feign fear that we will interfere with your institutions in the slave States. Time at last will develop the fact that all those fears are groundless, and they are now based on the false charges of our political opponents. I have always thought it but fair to take the principles of a man or a party from the man or the party and not from enemies. You receive, as the principles of our party, what its enemies say of it, and draw conclusions from the slanders to which you, on the stump, have lent countenance. If any man will read the speeches and the letters of the President of the United States elect, he can come to no other conclusion than that he will administer the Government, so far as he has power, precisely on the policy originally proposed by Henry Clay, who participated so largely in securing the compromise measures to which I have alluded. Why not consent to this? Why attempt the fearful experiment of destroying this Government, which has stood the test of time so well, under the vain hope of forming a better? But if you must do something to raise a smoke under which to retire from your unenviable, position, admit the Territories as States, and thus end the controversy forever. If this proposition is acceptable to the Republicans, surely it ought to be acceptable to you.

61

H. POLKINHORN'S
STEAM JOB PRESS,
Washington, D. C.